

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JOHNATHAN SPRADLING,
TERRY TROUT,

Plaintiffs,

vs.

CITY OF BERKELEY, MISSOURI,
UNKNOWN JACKSON,
JOHN DOE ONE,
JOHN DOE TWO,
JOHN DOE THREE,

Defendants.

Case No. 4:10CV01801 JCH

ORDER

This matter is before the Court upon its review of the record. Plaintiffs filed their Complaint on September 27, 2010. (Doc. No. 1). The Court notes Plaintiffs have not identified or served Defendants John Doe One, John Doe Two or John Doe Three.¹ Because it does not appear that service of the Complaint has been timely made within 120 days after the filing of the Complaint on **September 27, 2010**,

IT IS HEREBY ORDERED that, pursuant to Fed.R.Civ.P. 4(m), Plaintiffs shall show cause in writing, within fourteen (14) days of the date of this Order, why this action should not be dismissed without prejudice as to John Doe One, John Doe Two or John Doe Three for lack of timely service.

Dated this 7th day of February, 2011.

¹The Court also notes that Plaintiffs have not amended their Complaint or filed a motion to substitute party regarding "Police Officer FNU Jackson," although Herman Jackson has answered the Complaint.

/s/ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE